IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.1511 OF 2006

Deepak Nitrite Ltd. ..Petitioner.

V/s.

Devidas Dnyandev Mhetre ..Respondent.

WITH

WRIT PETITON NO.1512 OF 2006

Deepak Nitrite Ltd. ..Petitioner.

V/s.

Dattatray Radhakishan Darandale ..Respondent.

Ms.Geetanjali Prabhu i/b. M/s. Haresh Mehta & Co. for petitioner in both the petitions.

Mr.S.R.Nargolkar for respondent in both the petitions.

CORAM : V.C.DAGA, J.

DATED : 20TH APRIL, 2006.

P.C. :-

Heard the learned counsel for the rival parties. Perused petition.

2. After having heard and seen the findings of the Courts below (the text of which is incorporated below) and considering no material to hold these findings perverse, these petitions are liable to be dismissed.

> " ....it appears that the Respondent on 9-9-05 got executed memorandum of settlement with union. Shri Mhaske has submitted that Vice president of chemical staff Association has no right to sign the settlement and the signatory of the said settlements have accepted the V.R.S. scheme and then entered into the memorandum of settlement. I find substances in this contention after going through the terms of condition of settlement...."

3. Considering the absence of any potent contention to challenge the above finding on behalf of the petitioners, I do not see any infirmity in the view taken by the Court below.

4. The view taken by the Court below is a reasonable and possible view. By no stretch of imagination, it can be said to be a perverse view.

5. The Court below was perfectly justified in observing that the Vice President of the Chemical Staff Association had no right to sign the agreement which was being used to defeat the complaint filed by the respondent. No material is placed on record to suggest or demonstrate that the agreement of settlement was signed by the authorised person. In this view of the matter, no case is made out to interfere with the impugned orders.

6. Both petitions are dismissed in limine with no

order as to costs.

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